

Oklahoma Department of Agriculture, Food and Forestry (ODAFF) Program Authorization Request

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Where We've Been

In 1994, the Oklahoma Legislature directed ODAFF to seek NPDES program authority.

In 2009, EPA and ODAFF refocused effort on program authorization.

On August 16, 2012, ODAFF submitted its formal program authorization request to Region 6.

Authorization Process

- Timeline established by regulations
 - w/i 30 days of receipt EPA determines completeness
 - Public Notice given
 - Public comment opportunity for 45 days
 - Public Hearing scheduled at least 30-days after notice made
 - w/i 90 days of receipt, EPA renders approval/disapproval decision
 - Time can be extended upon agreement by EPA and ODAFF

Where We Are

- ✓ Public hearing held October 25, 2012
 - <100 attendees
 - Sierra Club, Industry, State Gov't, private citizens
- ✓ Public comment ended November 8, 2012
 - +300 submittals
- ✓ EPA review extended for tribal consultation
- EPA decision by December 20, 2012

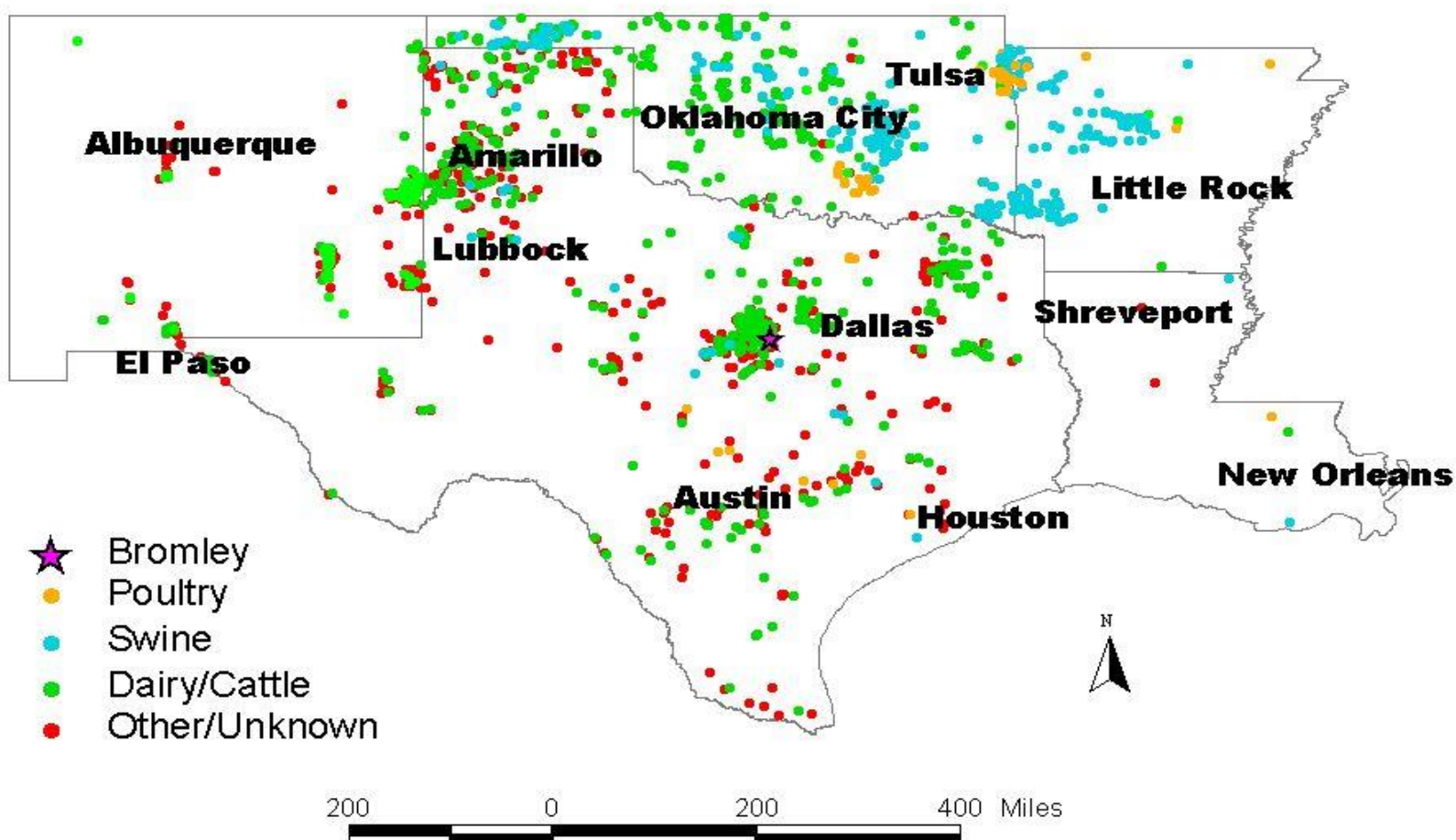
Consultation with Tribes

- Outreach thru telecons & ITEC presentation
- Offered individual consultation to all OK tribes
- Choctaw, Chickasaw, and Cherokee Nations
 - Consulted jointly
 - Revised MOA language

ODAFF Proposed Program

- ODAFF Jurisdiction (O.S. 27A & O.A.C. 35:44-1-1)
 - Agriculture related point source discharges
 - Concentrated Animal Feeding Operations (CAFOs)
 - Silviculture
 - Construction and Industrial storm water
 - Pesticides Application

EPA Region 6 CAFOs



EPA Permits to Transfer

- CAFO General Permit
 - OKGo10000
- Pesticides General Permit
 - OKG870000
- Storm Water General Permits
 - Construction general permit (OKR12000F) and Multi-sector general permit (OKRo5000F)

ODAFF NPDES Program Staffing

- Permits, Licensing and Registration Section
 - NPDES Permitting
+ 5 FTE for total 10
- Facilities Performance Section
 - Compliance and Enforcement
+ 2 FTE for total 15
- Environmental Program and Policy Section
 - Water Quality program support
+ 1 FTE for total 4
- AgPDES Director and AEMS Director

ODAFF Initial Budget (2-yrs) for AgPDES

Projected Annual Expense for AgPDES

\$532,000

Sources of Annual Income

	1 st	2 nd
▪ Estimated Annual Permit Fees	\$128,100	\$148,500
▪ Carryover 2009 Appropriated Funds (2 years)	\$403,900	\$269,683
▪ ODAFF Existing General Operating Funds [192 Fund]		\$113,817

“If permitting revenue are less than anticipated, expenses will be covered from fee revenues, Legislature-appropriated dollars, and if necessary from general Agency funds. “

Next Steps

- On December 12
 - RA Memo to Stoner (OW) and Pollens (OECA) requesting concurrence
- On December 20
 - MOA with ODAFF signed
 - NPDES program authorization letter signed
 - Federal Register notice submitted
 - ODAFF informed of EPA decision